Convoy Dispatch

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975 • www.tdu.org — October 2007 # 246

Collective Bargaining or Collective Begging?

Teamster contracts and benefits are on the line.

Are Teamster leaders bargaining from strength or weakness?

The most secretive negotiations in Teamster history have produced controversial agreements with UPS and UPS Freight that raise new questions about our union's bargaining strategies just as negotiations are getting underway with freight employers and DHL.

UPS and our union have inked a tentative early deal that delivers $9 an hour in wage and benefit improvements for full-timers over five years—but also includes monumental concessions.

If approved, the contract would allow UPS to break 44,000 Teamsters out of the Central States pension plan. It would also put an end to the creation of the new full-time jobs we first won in the 1997 UPS strike along with numerous other givebacks.

President Hoffa and chief negotiator Ken Hall made these historic givebacks in exchange for a deal that will make it easier to organize UPS Freight—something our union can and must do.

Our union needs to organize the nonunion competition, win strong contracts and good pensions.

The 1997 UPS contract campaign showed we can do this from a position of strength, by mobilizing Teamster members and public support to win our demands without givebacks.

The Hoffa administration has chosen a different route: using secret talks to trade away historic union gains in exchange for what the company is willing to offer.

Teamsters who have doubts about this strategy need to get united. Contact TDU today about how we can work together to rebuild Teamster Power.

Has UPS Put Its Best Offer On the Table?

UPS Teamsters have until November 16 to vote on a tentative new contract through 2013. See our complete coverage on pages 6-9 and online at www.MakeUPSDeliver.org.

TDU works hard to keep our union strong and democratic—and to make sure that Teamster members are informed. Hoffa's secret contract talks, and his weak early deal, show that we need TDU more than ever. If you're not a member, what are you waiting for?

Barbara Ramirez, Local 206
UPS, Eugene, Ore.

JOIN TDU

TDU MEMBERSHIP APPLICATION

Name _____ Local _____

Address _____

City _____ State _____ ZIP _____

Phone _____ Company _____

E-mail _____

❑ City ❑ Road ❑ Dock ❑ Clerical ❑ Warehouse ❑ Construction ❑ Production

Other _____

___ $40 one-year membership & subscription to *Convoy Dispatch*

___ $95 three-year membership fee

___ $25 for spouses, and Teamsters who gross less than $22,000 a year

___ $25 for retirees. Retired from Local _____

❑ Check or money order

Mastercard/Visa # _____ Exp. Date _____

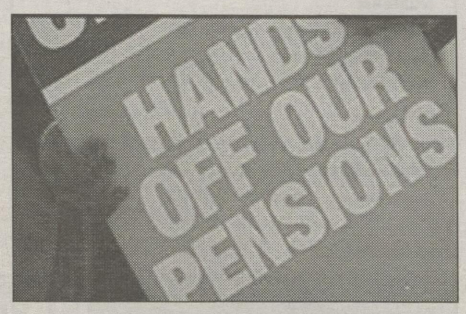
Date _____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210

TDU membership is kept confidential. TDU solicits and accepts membership applications and donations only from Teamsters, retired Teamsters and spouses who are not employers. Only funds from Teamster members and their spouses can be used for campaign purposes.

2008 Freight Contract

Our union kicked off freight contract talks with lean proposals but a determined stand to defend Teamster pensions. **Pg. 5**



Pensions On the Line

Get the latest on corporate pension grabs and the Pension Protection Act. **Pg. 8-9**

Letters From Our Members

Freight '08: Raise the Wages

I'm 58 years old now and I'm back to working casual. Our dock rate is just $16 an hour—that's unreal.

I hope the new contract will bring better wages and stop giving back to these companies.

The CEOs are making an outrageous amount of money. We need to get higher wages, increase the pension, and protect our retirees.

David Bowers
Local 397, Yellow
Erie, Penn.

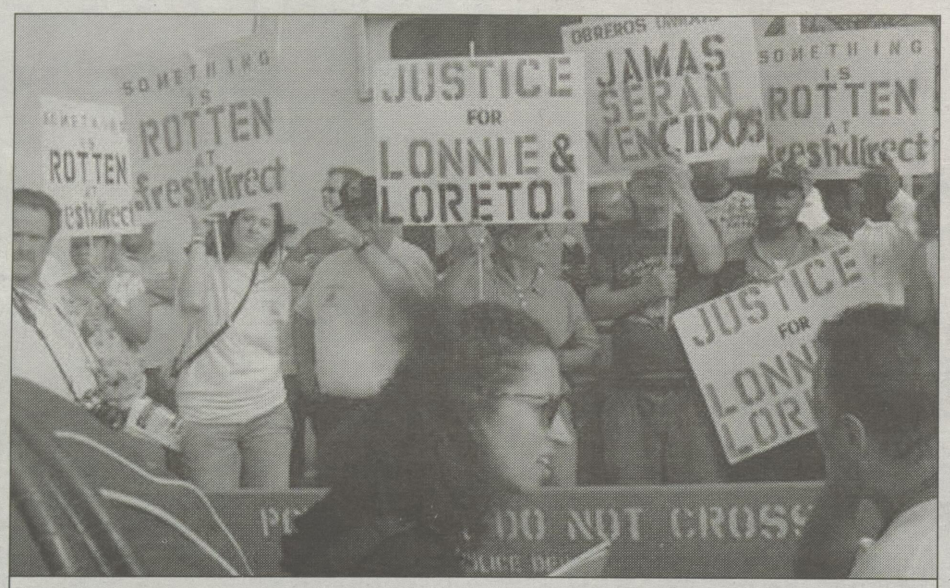
Ashamed of Hahs

Don Hahs has shamed our union. I smelled a rat a few years ago when he said that Michael Ward, President and CEO of CSX Transportation, was a very close and personal friend.

When our union sells out to CSX like it has over the last several years you have to wonder. You have to wonder when the BLET endorses the most recent Single System Agreement with CSX: Our medical co-pays have gone up, and we're having to pay a big portion for our medical premiums. Before we did not have to pay any of the premium.

We keep giving and getting nothing in return for our services to the company. Who are our top leaders working for? We definitely know who Don Hahs is for—himself.

Angry and Ashamed
in the Midwest



Something is rotten at FreshDirect: Teamsters from New York Local 805 and other Joint Council 16 locals rally outside of the FreshDirect grocery warehouse in Long Island City, New York. The Teamsters and community supporters protested the firing of two workplace leaders after Local 805 began an organizing campaign at the warehouse.

Can a New Truck Organize?

At our last union meeting, our local voted to spend over $100,000 on a new truck.

We've got a big new challenge in the Southern California grocery industry: Tesco is coming in with plans to open a nonunion warehouse and nonunion stores.

Paul Kenny, our secretary treasurer, says the new truck will help us organize new members. But we already have one truck, and it hasn't helped us organize. A truck doesn't talk to workers or sign cards. We need to spend this money on more organizers, not toys.

Phil Richards, Steward
Local 630, Unified Grocers
Los Angeles

Hands Off Central States

I can't believe our leaders would even consider letting UPS or anyone out of the Central States pension fund.

We should be getting more contracts into the fund—not less.

UPS is not looking out for our best interests. They're only looking at their bottom line.

Jerry Lamm
Local 24, Retired
Akron, Ohio

How to Contact TDU

We want to hear from you. Contact us at the addresses below for more information about TDU, or to send us articles or letters

National Office: P.O. Box 10128, Detroit, Mich., 48210. Phone: (313) 842-2600. Fax: (313) 842-0227. E-mail: tdudetroit@tdu.org Website: www.tdu.org

NY Office: 104 Montgomery St., Brooklyn, N.Y. 11225. Phone: (718) 287-3283. Fax: (718) 287-3287. E-mail: tdueast@tdu.org

E-Mail Your Letter

Visit our web page at **www.tdu.org** and use the link provided there, or e-mail your letter to **letters@tdu.org**.

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TDU International Steering Committee

Co-Chairs:
Dianne Bolton, Seattle Local 174
Joe Fahey, Milwaukee Local 200
Michael Ruscigno, New York Local 802
Michael Savwoir, Kansas City Local 41

Organizer:
Ken Paff, Detroit

Trustees:
Willie Hardy, Memphis Local 667
Rick Sather, Minneapolis Local 638
Joe Sexauer, Chicago Local 743

Members:
Nichele Fulmore, North Carolina Local 391
Frank Halstead, Los Angeles Local 572
Toni Jackson, Memphis Local 667
Larry Macdonald, Atlanta Local 728
Ed Michael, Salem, Ill. BLET Div. 724
Sandy Pope, New York Local 805
Joe Wright, Boston Local 82

Alternates:
Gary Brooks, Chicago Local 705
Delores Bowden, Chicago Local 726
Matt Latzo, Washington Local 639

Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in Sept. 2006 for one year. Our Rank & File Convention had 250 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BYLAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs should be elected by regions. No more trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money..

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he or she makes. No officer should make more than the highest paid working members in their jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for members, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

Carhaulers: Stop the Spread of Concessions

Teamster carhaulers—like too many workers—are being hit with every trick in the corporate playbook.

What's worse, the Hoffa administration is acting like a deer in the headlights.

It's been five months since Allied Automotive Group imposed concessions; its Teamster employees make 17.5 percent under the contract scale. Hoffa and his carhaul director, Fred Zuckerman, went all out to put that deal on the members.

New Wage Cut

Now Zuckerman has agreed with Allied to further lower the wages of Allied's Teamster owner-operators who work for Allied in Flint, Birmingham, and elsewhere. This deal, which Zuckerman cut behind closed doors, changes the way the wage cut is calculated, taking money from Teamster pockets. The owner-operators were promised, out of Zuckerman's own mouth, what the terms of the wage cut would be for owner-operators (three percent off the gross check). He can lie now about what he promised before the concession vote, but no one will believe him: it is on tape.

It amounts to an illegal mid-contract change: the members voted on one cut, but now get a worse one. Grievances have been filed. Maybe more than that is needed.

Allied Finds 'New Work'

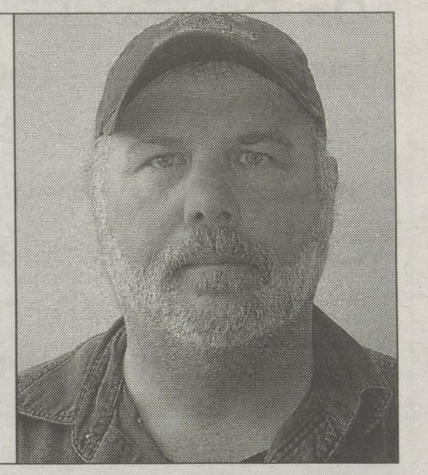
Allied management wants to get yet another sweetheart deal, on top of their concessions.

Their own nonunion subsidiary, Axis, wants to move rental cars and auction (used) cars through Allied, but claim it is "new work" and get a half-rate back haul deal, under Article 22 of the contract. (Half rate on top of the 17.5 percent cut really means 41.7 percent of full union scale.) Since Allied drivers have hauled this traffic for years, it is not new work. They have also posted bids for a separate owner-operator board based out of Detroit for this traffic. The concession agreement stated that Axis traffic would all be hauled under contract terms. Now it turns out they really meant to tear up the contract terms.

St. Louis Local 604 issued an excellent response to Allied. Other locals should join them in demanding that the contract be enforced.

"We're losing drivers, and morale is down about 17.5%. Imagine that. How can we as union carhaulers expect non-union drivers to join us when all we have to offer them is concessions and a 'brand new' 1992 Volvo? We could really use a good shot of Teamster pride.Get mad, get involved, get informed, lets get something except screwed. It's our union and our future at stake in '08.

Gary McCuiston, Allied Local 299, Detroit



New Equipment?

The concession agreement with Allied states that the $35 million a year in concessions will be used to purchase "new automobile transport equipment." However, Allied has instead been buying used equipment from Swift and others. It's definitely a good improvement over junk, but here again the concession agreement seems to have no enforcement.

Defend the Contract

There is going to be pressure from other employers for concessions similar to what Allied got.

Performance Transportation Services (PTS), which operates Leaseway, E&L Transport and Hadley, is already demanding concessions and threatening to close if they don't get them. Other than a letter from Zuckerman which was almost a carbon copy of his first letter to Allied about concessions, the union has been quiet.

Since Ron Burkle also owns PTS, will its business start to move over to Allied?

Where is the Plan?

Teamster carhaulers are under attack by corporations that are themselves hurt by the downturn in the auto industry. And our International Union has no plan whatsoever. No organizing program, no program to unite the members for the upcoming contract, no plan to avoid the downward wage slide that the Allied deal set in motion.

Many carhaulers are licking their wounds. That's understandable, but it won't do the job of taking back our union and protecting our jobs and contract.

DHL Pushes for Concessions, Members Push Back

National negotiations between the International Union and DHL opened in October in Arizona.

Apparently management reacted badly when the union presented demands based on the National Master Freight Agreement (NMFA), which is what members across the country demanded.

At the same time, DHL management sent a letter to their Teamster employees repeating their intent to get a UPS-style contract. What they mean by that is increasing the use of part-timers, a company-dominated grievance procedure, and complete control of the working environment. They definitely do not mean giving drivers a $6 per hour raise, to match UPS driver wages.

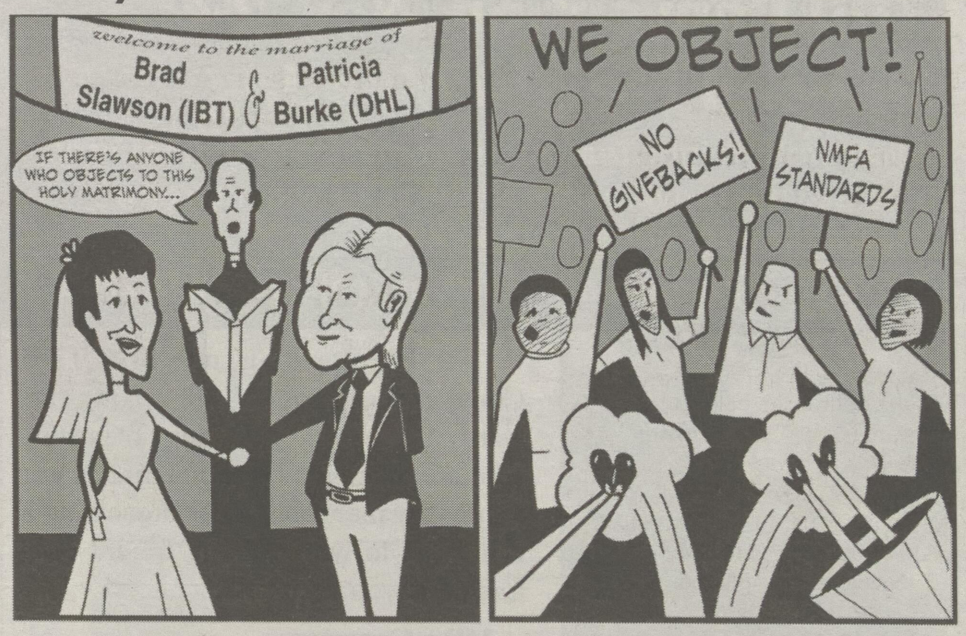
The union is allowing DHL to have national "supplements," including a pick up and delivery supplement, which will include most DHL Teamsters. It is here that we have to be most on guard for concessions.

DHL Teamsters have networked nationally and continue to press to protect the NMFA language in their contract. They already stopped an early sell-out contract that was being bargained by DHL and Hoffa assistant Brad Slawson, after TDU blew the whistle on that deal.

Slawson still heads the union bargaining committee, but DHL Teamsters are getting involved and taking matters into their own hands.

Defend the DHL Contract

DHL Teamsters have launched a national network, DHL Teamsters United. Find out how you can help defend out contract at www.dhlteamsterforum.com.



DHL Teamsters will win a strong contract by being united and determined. No contract can be signed without our majority vote to approve it.

UPS Freight Teamsters Sign First Contract in Indy

On Oct. 7, UPS Freight workers at the Indianapolis terminal voted 107-1 to approve a new contract that will last six years, until Aug. 1, 2013.

The International Union will use it as a model for other UPS Freight terminals around the country.

In a conference call with local unions on Oct. 2, Ken Hall and James Hoffa reported that there is a "card check" deal with UPS Freight, which will make it easier to organize the various terminals. If the majority of workers at a terminal sign Teamster cards that are independently verified, the company will recognize and bargain with the Teamsters Union at that barn.

Contract Terms

The union agreed to management's demand to make that card check agreement conditional on ratification of the UPS national contract, including the break-out of 44,000 Teamsters from the Central States Fund. That was management's central demand in national bargaining. As reported on the call, signing of cards cannot start until after the whole UPS contract process is done.

The UPS Freight contract will not be under the National Master Freight Agreement or the National UPS Contract, but a white paper contract. Wages go up 65¢ immediately, and then 70-75-80-85-90¢ over the next five years (the wage increases are split in half each year, in January and July). It has a company pension, apparently with no improvement, and company health benefits. A Teamster must pay $150 per month to get family health coverage. No change in sick days, personal days or vacations.

The company previously provided matching money for a 401(k), and that was given up in the contract. That and the co-pay for health insurance are two of the issues that a number of UPS Freight drivers have forcefully objected to on the internet forum truckingboards.com.

But they now get union protection: a grievance procedure (not the freight panels, a company-based procedure) and seniority rights.

Some in the Freight Division have expressed concern that relief given to UPS, the most profitable transport corporation in the world, will weaken our bargaining power with freight carriers that compete with UPS Freight. On the conference call, Hall appealed to them to hold their fire and "trust us."

Organizing Drive

Organizing by locals at UPS Freight terminals could start by the end of the year, if the UPS national contract and the pension fund break-out are approved. The "card check" deal has a three-year duration, so our union has that period to sign up the majority at as many terminals as possible. Many locals are eager to take a crack at bringing some of the 15,000 UPS Freight workers into the Teamster fold.

Attempted Decertification

A potential sour note in the organizing effort was struck a week earlier at the Reno, Nev. UPS Freight terminal. This is one of a few UPS Freight terminals under Teamster contract; it was formerly Motor Cargo, a company bought by Overnite, which later became UPS Freight.

On Sept. 25 a vote was held to decertify the Teamsters and go nonunion. Fortunately the union won 32-31, but there are three challenged ballots to be resolved. Hopefully Local 533 will hold onto that Teamster unit.

Hours of Service: Court Grants Three Month Stay

The U.S. Court of Appeals has granted a three-month stay of their decision striking down two aspects of the Hours of Service regulations. The new date is Dec. 27, 2007 for a possible implementation of the change back to 10 hours driving time, and no 34-hour restart.

The government had asked for a 12-month stay, with the intention of trying for a third time to convince the same court that their regulations are in compliance with the intent of the law.

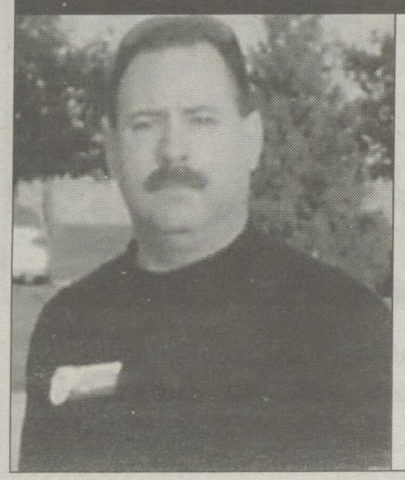
Employers are now lobbying hard for the Federal Motor Carrier Safety Administration (FMCSA) to issue a new notice and a new explanation, and rush through the same regulations to once again present to the court. Hopefully they will not take that approach.

The FMCSA should do the right thing and use this 90-day period to direct the industry to transition to the 10-hour limit. It's time for the carriers to make plans to operate under the 10-hour driving time.

TDU Convention, Nov. 2-4: Special Freight Meeting

Meet with freight Teamsters from across the country and set our movement's strategy to win a strong Master Freight agreement in 2008.

Make your plans to attend today: call (313) 842-2600.



"I'll be attending my first TDU Convention this year. I'm looking forward to meeting so many Teamsters who are making a big difference in our union. My main concern is organizing a campaign to win a strong freight contract. See you there!"

Mike Caperino
Local 312, ABF
Delaware

Freight Division: Different Strategy from UPS Talks

The Freight Division is taking two very different strategies from others in the Hoffa administration. First, Freight Director Tyson Johnson has said that the union will not allow any carrier to split from any Teamster pension plan. This is the opposite of what Hoffa and Ken Hall are trying to do at UPS, where they gave in to the company's demand to pull out of the Central States Pension Fund in return for a card check agreement.

Second, the Freight Division intends to bargain with TMI first, then hold ABF to mirror the same contract. This is the opposite of what Hoffa and Brad Slawson are doing at DHL. The 27 locals with DHL units under the NMFA have been pulled out of the Freight Division, and only an organized rank and file is holding back Slawson from giving the company whatever it wants, including part-timers.

Preserving national master contracts, and preserving our pension plans: both of these are key to maintaining Teamster power.

Teamster Freight Director Tyson Johnson has said the union will not let ABF split from any Teamster pension funds.

We should resist any move to break up master contracts or pension plans. We need to turn that around and bring more companies into master contracts, and more into our pension plans.

Freight '08: Teamsters Exchange Proposals

Bargaining for the 2008 National Master Freight Agreement has kicked off in Arizona, and our union has exchanged proposals with new language on job protection, subcontracting, and the new hire wage progression.

Bargaining began at the start of October. These new proposals were prepared by the Freight Division and have been given to Trucking Management Inc. (TMI), which represents Yellow Roadway and its subsidiary companies.

The union's initial proposals are available at www.tdu.org/freightproposals.

Freight Director Tyson Johnson told local union officers on Sept. 13 he would submit a lean packet of union proposals, and said he expects TMI to also have few major proposals.

Freight Division: Different Strategy from UPS

The Freight Division is taking two very different strategies from others in the Hoffa administration. First, Johnson stated that the union will not allow any carrier to split from any Teamster pension plan. This is the opposite of what Hoffa and Ken Hall are doing in the UPS negotiations.

Second, the Freight Division intends to bargain with TMI first, then hold ABF to mirror the same contract. This is the opposite of what Hoffa and Brad Slawson are doing at DHL. The 27 locals with DHL units under the NMFA have been pulled out of the Freight Division, and only an organized rank and file is holding back Slawson from giving the company what they want.

Preserving national master contracts, and preserving our pension plans: both of these are key to maintaining Teamster power.

New Penn, a Yellow Roadway subsidiary that is not part of TMI, has already signed a "me too" agreement: they will sign whatever comes out of the NMFA negotiations.

Proposals on the Table: More Needed

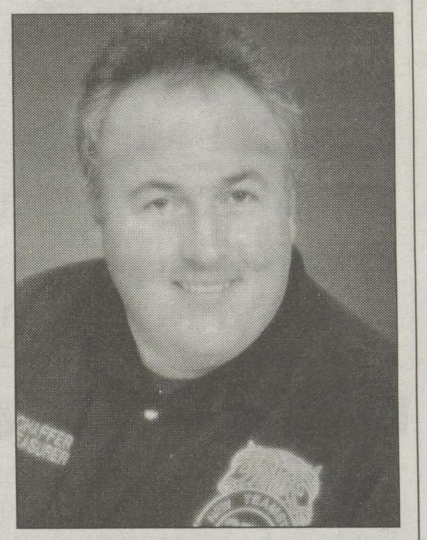
The union's initial proposals are indeed lean. In some areas, the union intends to add more substance, especially in Article 29 and 32, covering subcontracting, substitute service and job protection.

The big-ticket items that involve monetary issues are not contained in the initial proposals. The UPS negotiations will likely set the table on the issue of pension and health and welfare money; the UPS tentative agreement calls for $1 per year for benefits (pension and health and welfare) with the possibility of further diversion of wage increases.

There is one proposal that should be changed: it is proposed that a new-hire with two years of NMFA-type work experience not be subject to the new-hire wage progression. This could lead to discrimination in hiring, as management would save tens of thousands of dollars by hiring someone from J B Hunt instead of a Teamster. The answer is to demand elimination of the new-hire clause.

Teamsters should get informed, get involved and get ready to make our voices heard for a good contract.

Get the Rank and File Involved



"The union proposals are pretty minimal. Holding meetings in August isn't a great time for getting members involved. We know the day-to-day issues we face but it doesn't come through with this language.

"If Hoffa and Tyson Johnson are serious about freight Teamsters, we need some rank-and-file members on our negotiating team for both the national and the supplements. That's our best shot at getting our concerns addressed."

Mike Schaffer
Local 769, Roadway
Miami

Read the proposals online

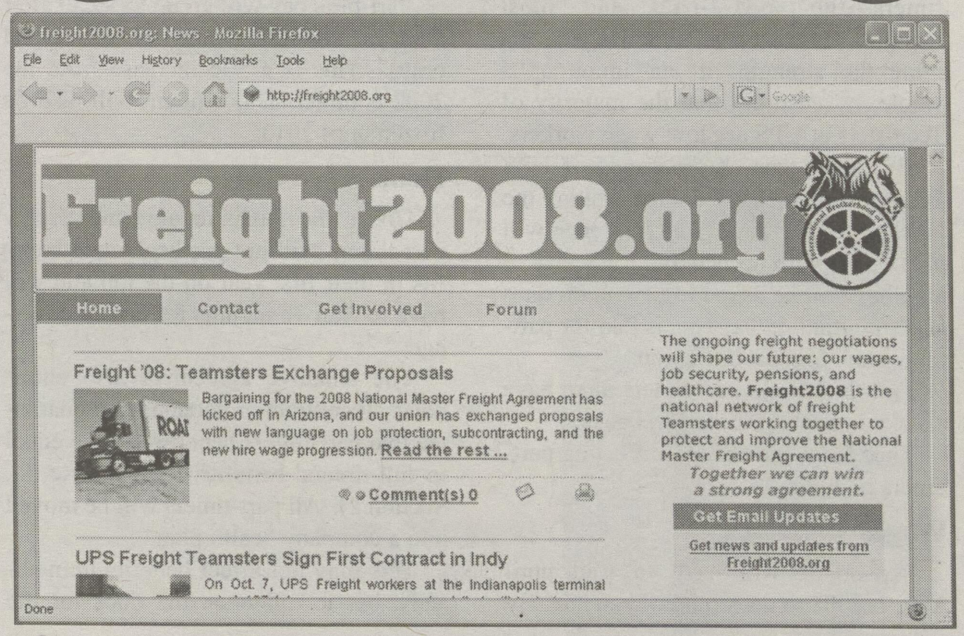
Download our union's proposals for the NMFA online at www.tdu.org/freightproposals.

Check Out Freight2008.org

Bargaining for the next freight agreement will set our wages, pension, job security, and healthcare for years to come.

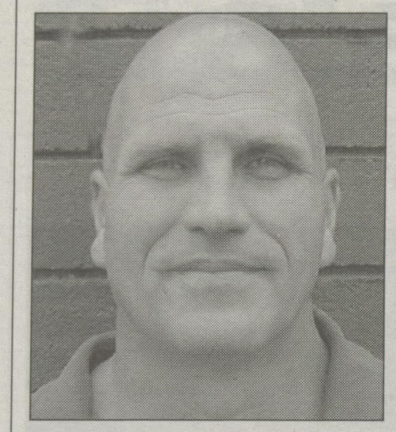
Check out Freight2008.org and find out how you can help win a strong contract for our future.

- **Stay in the loop.** Sign up for email updates about freight 2008 bargaining.
- **Have your say.** Register and post comments in the freight forum.
- **Tell other Teamsters about Freight2008.org.** Help build a network of freight Teamsters.



Does Early Deal Make UPS Deliver?

The Company's Best Offer?



Dan Scott, Steward Local 174, Pkg Car Seattle

"This deal hands UPS the Givebacks Trifecta: an early agreement, a pension grab in the Central States, and the end of 10,000 full-time jobs.

"Hoffa and Hall gave back what we won in our 1997 strike, and then piled on even more givebacks—splitting our wage increases, jilting part-timers and more.

"Take a good, hard look at this contract and ask yourself: do you think we've seen the company's best offer 10 months before expiration? Is this the contract you want to pass down to the next generation of UPS Teamsters?"

Early bargaining gave us leverage. Did our negotiators use it to Make UPS Deliver?

UPS entered into early negotiations with our union more than one year ago because shippers and stockholders were pressuring the corporation to reach an early settlement.

That pressure gave our union leverage. Did our negotiators use it to Make UPS Deliver?

Has the company put its best offer on the table?

Those questions are now in the hands of Teamsters at UPS, who have until Nov. 16 to cast their votes on the tentative national deal as well as supplements and riders.

The negotiations with UPS were the most secretive in Teamster history. Our union leaders kept a tight lid on what was being discussed in bargaining and never mobilized Teamster members.

The tentative agreement they are putting to a vote contains $9 an hour in combined wage and pension improvements for full-timers as well as historic concessions that give back the pension victory and new full-time jobs we won in the 1997 strike.

Teamsters for a Democratic Union (TDU) launched *Make UPS Deliver* campaign to keep members informed and to unite concerned Teamsters to pressure UPS and our union negotiators to deliver the contract that members deserve.

Teamsters across the country are downloading and distributing contract bulletins and other information from www.MakeUPSDeliver.org, holding rank-and-file meetings, and taking action to make sure UPS Teamsters cast an informed vote on the proposed early deal.

UPS Tentative Agreement: Monetary Package

When the proposed UPS tentative agreement was presented to Local Union officials, the big selling point was "$9 an hour," which sounds like a big increase in wages and benefits.

Five dollars out of this goes to full-timers' benefits. That should be enough to maintain health and welfare, and in some areas, pension accruals will go up. That's the most positive part of the monetary deal.

Here are other facts to consider when evaluating the monetary package.

- The $9 is actually a lower percentage increase than the last agreement: 4.4 percent per year for full-timers, compared to 4.6 percent in the last agreement. And the last agreement didn't have all the concessions to go with it.
- The wage increases are less than the last contract, and will be split so half the increase is held back six months. August 1 this year the increase was $1. Next August it will be 35¢, with another 35¢ in February 2009.
- UPS gets big monetary givebacks in the tentative deal. One is giving away the creation of 10,000 combo jobs, so no new full-time combos will be created.
- For part-timers—the majority of UPS Teamsters, the monetary package is nothing like $9/hour. Part-timers' pensions are cheap and their healthcare benefits are actually cut. This is not balanced out on the wage end where the starting rate is frozen and the progression goes up by just 50¢ over the next six years.

Givebacks Hurt Part-Timers, Union's Power

In a contract riddled with givebacks, no one was hit harder then UPS part-timers.

The proposed tentative agreement offers a wage package that is substantially inferior to the "Best Contract Ever," opens the door to healthcare cuts for current and future part-timers, and eliminates the 10,000 new combo jobs that offer part-timers a shot at a better future.

These concessions don't just hurt part-timers—the lowest-paid and most exploited Teamsters at UPS. They undermine the strength of our union as a whole, by ensuring that the majority of Teamsters at UPS are low-wage workers.

By 2013, tens of thousands of UPS Teamsters very likely will be making the legal minimum wage, which by then will pass $8.50 with no benefits for a year—and they will be asked to pay union dues and an initiation fee. This is bad for part-timers and bad for our union.

Full-timers and part-timers alike have a stake in beating these givebacks.

Thee language changes affecting part-timers include:

Wages

Part-timers will have to wait until Aug. 1, 2008 to get a raise of just 35¢. By comparison, under the current contract, part-timers got a raise this August of $1.20. A second 35¢ raise won't be paid until Feb. 1, 2009.

The 2002 contract paid an extra $1 in wage increases for part-timers over the life of the contract to slightly close the gap between part-timers and full-time pay. This contract widens the gap, by eliminating the booster raises for part-timers and freezing starting pay at $8.50.

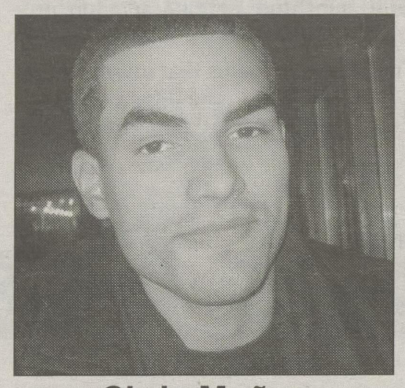
Part-time pay will go up to $9.50 after 90 days ($10.50 for sorters on the preload only). This is a 50¢ increase from the 2002 contract. This amount will also be frozen until 2013.

Healthcare Cuts

Under the tentative agreement, new part-timers will not get healthcare benefits in their first year on the job and will have to wait 18 months for family coverage.

The tentative agreement also eliminates all contract protections that guarantee that part-timers benefits will be equal to full-timers' benefits. (See Article 34, Section 2). All part-timers will be moved into a company health plan.

This may not affect benefits immediately, but it will open the door for the company to make cuts in the future. If healthcare costs continue to rise, we no longer would have contract language to stop UPS from cutting benefits—something that corporations have been doing across the country.



Chris Muñoz Local 804, Night Sort New York

Other Benefits

The tentative national agreement would eliminate all sick days, holidays, vacation days and personal days for part-timers in their first year of service.

Part-timers in the company's pension plan would accrue $60 in monthly pension benefits for every year of part-time service. (Part-timers in the West, New England and Upstate New York are in Teamster plans with superior benefits).

No New Full-Time Jobs

The tentative agreement gives away the language in Article 22.3 that requires the company to create 10,000 new combo jobs by combining existing part-time jobs.

This language creates more full-time job opportunities for part-timers and increases the percentage of full-time jobs at the company, which gives us more power as a union. Why give it away?

A Slap in the Face

"This contract is a slap in the face to the part-timers who bust our butts for this company. The more members find out about what's in it, the more pissed off they get.

"We're being told not to worry about the new guy, but they're the future of the Teamsters. If we sell them out, we're only going to divide and weaken the union.

"We don't need to lay down for this company. UPS will offer more than this if we make them."

Did We Win the New Protections That We Need?

In addition to wage and benefit improvements, UPS Teamsters are looking to the new contract to provide new language to protect Teamster members and their job security and to improve our quality-of-life on the job.

Here is a summary of some key changes in the proposed agreement

The complete text of the national language as well as many supplements is available online at www.makeupsdeliver.org.

TDU urges all UPS Teamsters to review the language carefully and get answers to your questions before you vote.

Excessive Overtime & 9.5 Grievances

The tentative agreement contains new language in Article 37 that increases the penalty UPS must pay for continually working a driver more than 9.5 hours from double time to triple time pay. That's an improvement where the language is enforced.

But Article 37 also contains new restrictions that will disqualify some drivers from even filing 9.5 grievances and will make these grievances harder to win.

The proposed contract would establish two five-month periods "beginning on January 1 and June 1 of each year."

To be eligible to even file a grievance during a five-month period, a driver has to sign an "opt-in" form.

Drivers who opt-out of the 9.5 language "will have no right to file a grievance alleging excessive overtime" for five months.

Another untested loophole has been added that gives the 9.5 Committee "the authority to adopt guidelines…to balance the Employer's needs to protect the integrity of its operations with an employee's legitimate need to avoid excessive overtime."

So new rules limiting 9.5 grievances could be coming down the pike.

Relief of Overtime / 8-Hour Requests

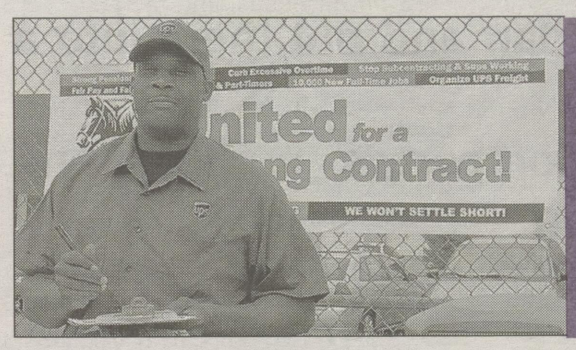
Article 37 of the proposed contract establishes two-hour penalty pay at straight time when the company violates members' contractual right to Relief of Overtime on a particular day.

In exchange, members must now submit their Relief of Overtime request five days in advance, instead of the day before, a big step backward.

The proposed language also includes loopholes that will make enforcement nearly impossible in some cases.

For example, the contracts states that UPS owes no penalty pay if the driver could "reasonably" have completed the dispatch within 8 hours.

UPS also doesn't have to pay any penalty unless the driver works "in excess of 8.5 hours"—and even then the company doesn't owe a dime if the excessive overtime is the "result of events beyond the Employer's control."



Cast an informed vote

Get the latest contract updates, and sign up for email alerts at MakeUPSDeliver.org

Subcontracting / Diverting Work to UPS Freight

Many UPS Teamsters are counting on the new contract to deliver tough new restrictions on all subcontracting—including diverting our work to UPS Freight.

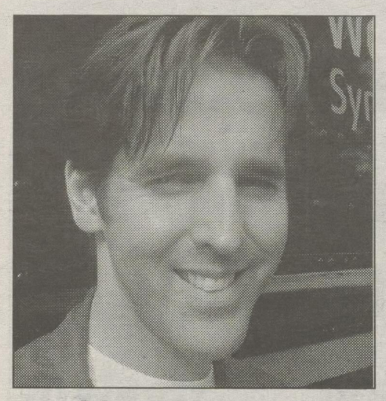
The proposed deal contains no new language on subcontracting, except a Memorandum of Understanding at the end of the contract that says UPS will not subcontract feeder movements to outside trucking contractors "solely because it is less expensive."

New Technology

UPS is introducing new technology that will enable management to monitor drivers location and functions like never before.

To deal with this threat, our union proposed new language under Article 6 that would prohibit the company from using information obtained solely from the DIAD, GPS or any monitoring technology as evidence that an employee violated the contract or any Company policy.

This strong language appears nowhere in the tentative deal. Instead, Article 6 states only that employees cannot be discharged "on a first offense" based on GPS technology "unless he/she engages in dishonesty."



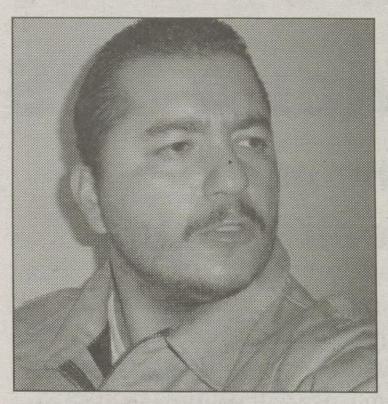
Liam Russertt
Local 804, Pkg Car
New York

Underwhelmed by OT Language

"The new language on forced overtime won't solve our problems and in some ways takes us backwards. Everything that looks positive has a loophole for UPS to wiggle out of it.

"Under this deal, we would have to make an 8-hour request five days in advance. Then UPS gets to decide whether the driver could "reasonably" have completed the work. Under the new 9.5 language, drivers could lose their right to grieve excessive overtime for five months at a time. We need more enforcement, not less right to grieve.

"The new triple time penalty is an improvement, but it all comes down to enforcement. We put in double-time grievances now and don't get anything."



Lawrence Cruz
Shop Steward
Local 396, Combo
Los Angeles

No Improvements for Combos

"There are 20,000 Teamsters who work combo jobs at UPS. This contract didn't fix any of our problems or deliver any of the language we were promised. Instead, we're going to keep being treated as second-class Teamsters.

"Combos who deliver air will still get two-tier pay. The rest of us will still make substandard wages compared to other full-timers with no bump to close the gap.

"We didn't get seniority rights so we can get overtime or bid on better jobs as they open up.

"There is nothing in this contract for combo workers or part-timers. If we want respect, we've got to demand it by organizing ourselves to Vote No in record numbers."

Supervisors Working

Supervisors working is rampant. We needed decisive new language, not more loopholes for the company. This language in Article 7 about Acts of God leaves it up to management to play God.

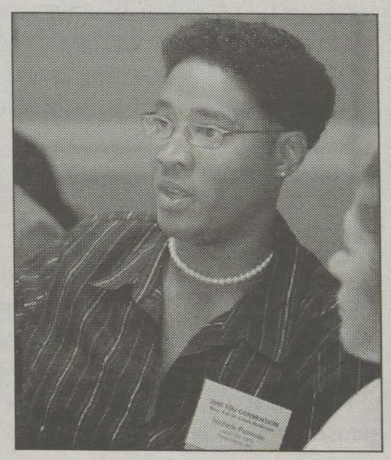
Increasing the penalty to double-time from time-and-a-half is good. But that will only make a difference when the language is enforced. If supervisors are allowed to work, or grievances are settled for 50 cents on the dollar, then the higher penalty won't make much difference."

Mark Huckleberry
Local 89, Air District
Louisville, Ky.

Protecting Drivers from UPS's New Spyware

"The language on new technology only protects against termination on a "first offense" and even then the company can fire you for "dishonesty." In my building, UPS uses "dishonesty" whenever they want to get someone. This is not the strong new protection we were promised.

Nichele Fulmore, Steward
Local 391, Pkg Car
Lumberton, N.C.



Central States Pull-Out:

The Proposed New UPS Pension Plan

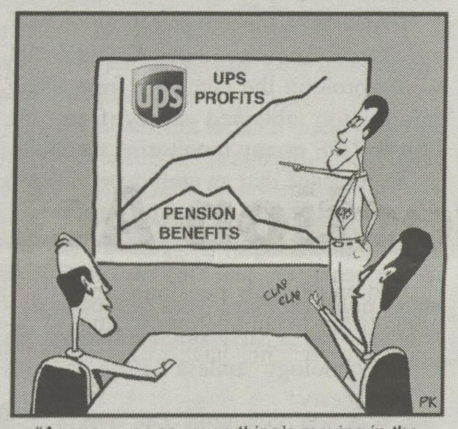
The proposed tentative agreement would pull 44,000 full-timers out of the Central States Pension Plan and put them into a new UPS Plan.

That was the company's number one goal in bargaining.

If this agreement is approved, how will it affect the benefits of UPS Teamsters in the Central States Fund, now and in the future?

Benefit Levels

The new plan would begin in January 2008. Under the new plan, Normal Retirement Age would be 65, with a six percent reduction for each year under 65 at retirement.



"As you can see, everything's moving in the right direction."

The benefits for unreduced 25-and-out are $2,000 per month; 25 years and age 57, $2,500 per month; 30-and-out, $3,000 per month; 35-and-out, $3,500 per month. These are the same as the pre-2004 Central States benefit levels. We won those benefits in 1997, and they would still be the same 16 years later in 2013 under this plan.

The company agreed to fund the plan only "as required by applicable law." This means the company is not obligated to meet any specific contribution rate, but only to fund the plan to provide the benefit levels outlined above.

This is what the company is looking for. This provision will enable the company to save billions in reduced pension contributions and to keep a lid on future increases in benefits.

Pluses and Minuses

On the plus side, Teamsters can earn an unreduced 25- and 30-and out pension at any age. For a young retiree with 30 years who wants out now, it's a plus.

On the minus side, a Teamster who retires at an older age loses a lot. The accrual rate is lower than Central States will be in the coming years. The accrual is the amount you can add to your monthly pension each year you work.

And a Teamster who retires several years from now, when pension accruals in Central States will be at $200 or more per month, will lose big.

Look at the chart on this page. This shows how much the UPS fund will fall behind just in the next few years.

There are also unknowns. For example, why is there no reciprocal agreement with other Teamster plans? If you change jobs, you cannot use your pension credits.

The Future

UPS management is not stupid. They are putting up $6.1 billion to buy their way out of Central States now because they will save a lot more than that by paying lower contributions, holding down pension increases, and weakening our union.

Teamster members need to think about the future too. Early negotiations were supposed to be about improving our pensions and benefits now and for the future. This proposal offers limited improvements for the short-term at the cost of long-term retirement security and union power.

Pension Grab Will Lead to Reduced Benefits

"The buyout of Central States UPS employees would be a dream come true for UPS management. It will save the company billions by weakening our union and lowering our benefits over time. No wonder Wall Street loves it.

"Management is trying to get us to go for this scam by restoring 30-and-out. But our pension accrual will fall behind every Teamster plan including Central States. We've got to look down the road or we'll drive right over a cliff."

Michael A. Savwoir
Local 41, UPS Feeder
Kansas City, Mo.

The Future Under a UPS Plan: A Smaller Pension

Looking into the future the new UPS plan will pay less than Central States and the Western fund.

Management and some union officials are selling the UPS Pension Plan in the Central States areas on the basis that it offers unreduced 25- and 30-and-out benefits of $2,000 and $3,000 respectively. That's true, but also a very short term gain.

Looking into the future, this pension will pay less than Central States will pay, and far less than the Western Conference will pay. These are the two largest Teamster plans and cover most of the USA.

We won $3,000 30-and-out in the 1997 strike. Now UPS is offering the same thing in 2013, 16 years later.

By 2013, other Teamster pensions are going to be well beyond that figure and heading upward.

Look at this chart of pension accruals, the amount you can add to your monthly pension for a year of service.

Notice that by August 2012, the Western Conference Pension Fund, covering all UPSers in the West, will be paying an accrual of $464 for a year for UPSer with 20 years service. Payable at early retirement, in full.

Compare that to the $158.50 the UPS plan would offer! Even Central States will be well ahead of that with an accrual of $196. Central States will reduce that accrual by six percent for each year under age 62, but the UPS Plan would reduce it six percent for each year under age 65!

Do the math. You will see why UPS would pay $6.1 billion ($3.9 billion after a $2.2 billion tax write-off) to stick us in the plan. They will save billions in the long run, at the expense of your pension.

Why get into a plan that's going to be paying a third rate pension to you, compared to the Teamster plans?

Pension Accrual Rates: How Do They Stack Up?

	UPS Plan	Central States	Western
Aug. 2008	$132	$142	$258 - $342
Aug. 2009	$132	$156	$281 - $373
Aug. 2010	$135	$169	$305 - $404
Aug. 2011	$147	$183	$328 - $434
Aug. 2012	$158.50	$196	$351 - $464

Notes: The accrual rate listed is for August of each year. The rate for Central States and Western Conference Funds goes up each Aug 1. The UPS Plan would go up each Jan. 1. There are two accrual rates listed for the Western Fund: the first (lower) one is for less than 20 years service, the higher one is for more than 20 years.

Pension Grab Affects All Teamsters

By late November, we will know if UPS has succeeded in breaking out of the Teamster Central States Pension Plan.

Big Brown's pension grab affects hundreds of thousands of Teamsters at UPS and in at other Teamster employers, in the Central States and beyond.

If UPS succeeds, 44,000 UPSers will be pulled out of the Central States and the historic union plan will be down to just 100,000 remaining active Teamsters, and over 200,000 retirees.

UPS's actions are part of a corporate attack on pensions.

UPS's actions are part of a broad corporate attack on union pension plans. In the Teamsters, UPS is leading this charge, but they are not alone.

The big freight carrier ABF has announced it wants to break out of all Teamster plans. PepsiCo (Pepsi and FritoLay) has been doing it for years.

Increasingly, local unions face corporations that want to get out of Teamster benefit funds

Companies want to set up their own, cheaper plans. Or even worse, they want to just have a 401(k), and no real pension plan at all. The goal is to reduce costs, save money on benefit contributions, and undermine our union's power.

UPS is willing to pay the $6.1 billion withdrawal liability to Central States that is required by law because they know they will save that many times over if they can bust our pension plan and lower their pension costs.

Vote in November

The split-off of 44,000 UPS Teamsters from Central States will be put to a contract vote in early November—but affected UPS Teamsters are not the only ones getting a ballot.

The Hoffa administration is allowing all 230,000 UPS Teamsters to vote on this deal, including those in other pension plans and part timers, most of whom are in a company plan,

Many more Teamsters directly affected by this vote will not get ballot—namely the 100,000 Teamsters in the Central States fund who work for other employers and will see their pension fund lose over $600 million a year in pension contributions if UPS succeeds in pulling out.

Why Hoffa Gave In

For years, Teamster leaders and members have said No to UPS's attempts to get control over our pensions. This time Hoffa and chief negotiator Ken Hall gave in—and agreed to many more historic concessions as well. Why?

The answer is that UPS has made a deal. If the tentative UPS contract with this pension split is approved, they will give "card check" organizing rights to our union at UPS Freight. This means that our local unions can sign up a majority of UPS Freight workers at one terminal, and get the right to bargain.

We definitely need to organize UPS Freight. But many Teamsters believe we can achieve this goal without these monumental givebacks.

UPS's stockholders want an early agreement. This gives our union leverage. Why not use it by telling UPS they get no early settlement unless they give us the right to organize at UPS Freight—while keeping the corporation's hands off members' pensions?

Pension Deal Affects All Teamsters

"What does this UPS pension deal do for ALL Teamsters in the Central States? Hoffa claimed he would look out for everybody. Did he? This creates more concern about the viability of our Fund long term, not less. Letting UPS exit weakens the retirement security of thousands of members and undermines the solidarity of our union. Hoffa Sr. must be rolling over in his grave."

Greg Smith, Local 407, Yellow, Cleveland

The Facts About the Pension Protection Act

Rumors are flying about the Pension Protection Act, the pension legislation that starts to take effect on Jan. 1.

Does the UPS contract have to be settled by Jan. 1 to head off benefit cuts and win pension improvements? Is a new round of pension cuts on the way? The answer is NO.

TDU consulted with actuaries, attorneys and fund managers to cut through the rumors and provide members with the facts.

January 1: A Kickoff, Not a Deadline

Some provisions of the Pension Protection Act go into effect on Jan. 1. This date is the kickoff of a long-term timeline for strengthening funds over 10 to 15 years.

It is not a deadline by which the UPS contract needs to be ratified for UPS Teamsters to avoid pension cuts or win pension improvements. It also is not a date on which Teamster pension funds will change their benefits.

What Happens on January 1?

On Jan. 1, 2008, the funding portions of the Pension Protection Act go into effect.

As a result, Teamster pension funds will have to certify their funding levels (Green Zone, Yellow Zone or Red Zone) and inform participants and the government of their status. This process does not occur immediately on Jan. 1, but can take up to 90 days.

On April 1, 2008, fund actuaries have to certify the status of the plan. If a plan is under-funded, then it must notify participants, the union, the company, and the government by May 1, 2008—120 days after Jan. 1.

Yellow Zone and Red Zone

If a pension plan is under-funded, it will be certified by the fund actuary as in the "Yellow Zone" or the "Red Zone."

The Yellow Zone means the fund is less than 80 percent funded.

The Red Zone means that the fund is seriously under-funded and also has a short-term credit balance deficiency (a technical calculation that indicates a more short-term problem than the funding level). Being under 65 percent funded will not automatically place a pension plan in the Red Zone.

Few, if any, Teamster plans will fall in the Red Zone. But some major Teamster funds, including the Central States Fund and the New England Fund, are expected to be in the Yellow Zone.

December 31, 2008: Deadline for Plans

If a plan is in the Yellow Zone or Red Zone, the plan's actuary will then come up with at least two options to get the funding level up toward 80 percent over the next ten or 15 years.

These options include increasing employer contributions, and/or decreasing future pension accruals.

For any plan under 80 percent funded, the trustees will adopt a Funding Improvement Plan, based on the options prepared by their actuaries, to present to the union and the company. If the trustees deadlock (company vs. union trustees), the matter goes to expedited arbitration.

By Dec. 1, 2008 a pension plan must announce their improvement plan, unless there is an impasse.

That plan must go into effect by December 2009, two years from now.

The Central States Fund has already adopted its plan. They require contracts signed this year to have pension contributions go up at least eight percent a year. And they cut back benefits, by eliminating unreduced 25- and 30-and-out pension accruals.

Under the law, Teamster pension funds must adjust their funding plans based on any new pension money that is negotiated in contract bargaining. A new contract does not have to be ratified by Jan. 1.

When major contracts are settled, fund actuaries and trustees will adjust their Funding Improvement Plans based on the new money projected in the contract.

The Bottom Line

The goal of the Pension Protection Act is to get multi-employer plans to move their funding levels up to 80 percent over the next ten to fifteen years.

It is a long-term process. No plan needs to be adopted until Dec. 1, 2008, over a year from now, and none needs to be put into effect until a year after that.

Any contract improvements that are won—at any time—will be taken into account. The UPS contract does not need to be settled by Jan. 1 for us to prevent cuts or win pension improvements.

Join TDU

"At a time like now, it's important that we have TDU to get us information and help us make an informed vote. Do your part and join TDU today."

Cheryl Allen, Local 728
UPS Package Car, Georgia

Use the coupon on page 1 to join or call (313) 842-2600.

After Third Vote in Chicago Local 726

Members Win Improvements

On Oct. 5, Local 726 Teamsters working for the City of Chicago ratified their contract overwhelmingly after pressing hard to get what they deserved. The 2,100 members rejected two earlier proposals before the union and city addressed concerns regarding job classifications, layoff procedures, and subcontracting provisions.

The Fighting for the Future Slate, currently running to unseat the incumbent slate in Local 726, led the campaign to win changes in the proposed contract.

Vince Tenuto, candidate for Local 726 Secretary Treasurer explained, "Members knew the issues and what they needed. It helped to have a network in place to spread the word. It shows what a united membership can do when they put it in gear. We didn't get everything we wanted and ten years is a long time, but we did make a real difference in the outcome."

Following the earlier contract rejections, Fighting for the Future leaders offered to meet with Local 726 officials to explain what members needed to get the ten-year contract passed. Local 726 officers refused to meet directly, claimed they negotiated the necessary improvements, then argued that nothing had been changed from the initial proposal.

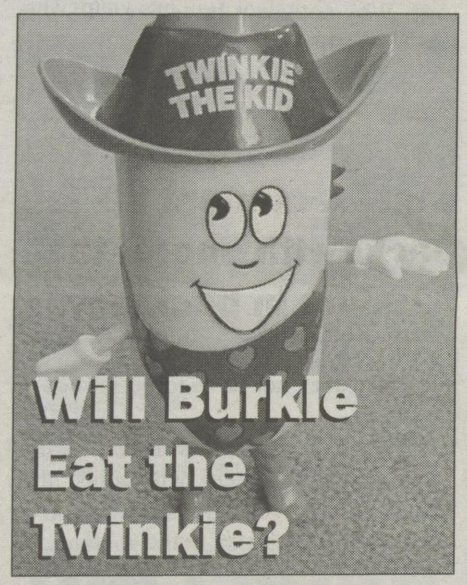
"Now we need to roll this membership concern into a strong turnout for change when it comes to our election in Local 726," said Duke Clark, candidate for vice president on the Fighting for the Future Slate.

Fighting for the Future in Chicago Local 726 supporters voted down two contracts until job security language was added.

Ballots in the Local 726 election were mailed in mid-October and will be counted in early November.

You can learn more about the movement at www.fightingforthefuture.com

Interstate Bakeries Pushes for Concessions



Over 10,000 jobs are on the line for the Teamsters who deliver Twinkies, Wonder Bread, and other products for Interstate Bakeries Corporation (IBC).

IBC is seeking new concessions from Teamster drivers. On Oct. 3, a U.S. Bankruptcy Judge extended the deadline for the company and the union to agree on contract changes by 30 days.

Teamster members first made concessions in 2004, when IBC declared Chapter 11 bankruptcy. Now IBC says those concessions are not enough and is demanding more from members—even though the head of the company is pulling down $75,000 a month.

IBC wants to cut wages, and it is asking for all Teamsters to pay $20 a week for healthcare.

The company also wants to implement a "path to market" distribution system that will eliminate many Teamster jobs and change work rules. The company complains that its current distribution system—cobbled together from mergers with other bakeries—is antiquated.

Four Plants Close

The bankruptcy judge has already allowed the company to close down its operations in Southern California, eliminating 800 Teamster jobs.

IBC wrung out new concessions from the other major union, the Bakery, Confectionary, Tobacco Workers and Grain Miller's International Union on Sept. 28. The BCTGM represents 10,000 IBC bakers.

The Teamsters are promoting the investment company Yucaipa as a potential savior for the company.

Yucaipa and its billionaire head Ron Burkle got concessions from Teamster carhaulers at Allied earlier this year after Burkle took over ownership and control of Allied.

For now, IBC is balking at a Burkle takeover, and the Teamsters are still threatening to strike. Industry experts believe that a strike could doom the company. Even if the company folds, its brands are likely to be sold off and survive—but the effect on Teamster jobs could be disastrous.

Ask the Teamster Troublemaker

Can a Steward Be Fired for Yelling at the Boss?

"Last week, I went to my boss's office to ask him about an information request for a grievance I'm working on. He didn't have the information, and I got angry and raised my voice with him. His door was open and some co-workers saw it. Right in front of them he told me that he would have me fired if I ever yell at him again. Can he get away with that?"

Stewing in Ohio

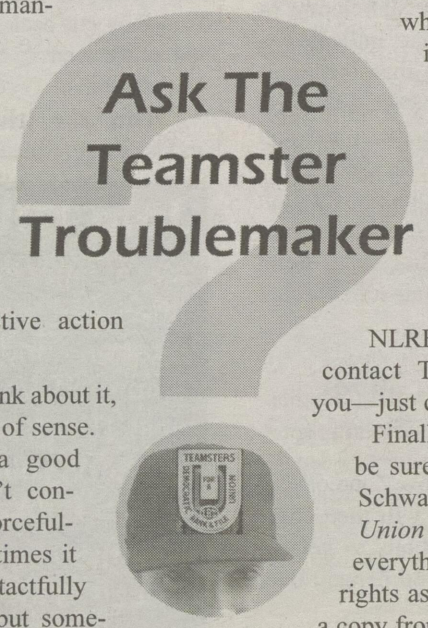
Dear Stewie,

No. The National Labor Relations Board has an "equality rule." The rule says that when a steward is acting as a union rep, you're an equal with management. That means you can yell at your boss, and even use foul language. This only applies when you are acting as a union steward.

That equality rule applies to grievance meetings and other steward duties, such as discussing an information request or checking with management about the status of a grievance.

The NLRB also recognizes your right to:

- Make gestures at management;
- Call your boss a liar;
- Threaten legal action against the company;
- Or warn the boss that his actions may lead to collective action from the union.



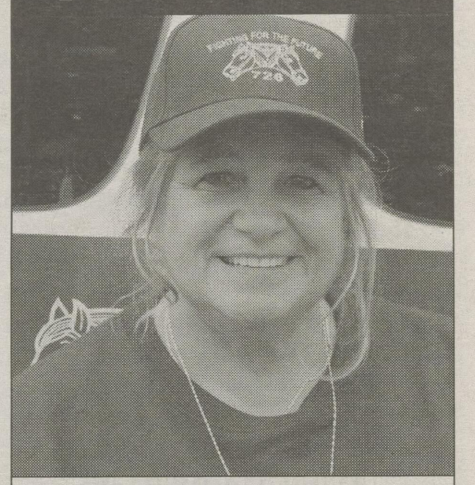
If you stop and think about it, that rule makes a lot of sense. How can you be a good steward if you can't confront management forcefully? Of course, sometimes it makes sense to deal tactfully with management—but sometimes people do yell or use salty language.

There are definite limits. You can't threaten your boss with violence. You can't use unrestrained profanity or obscenities. And it only applies when a steward is performing his/her duty as a steward, not just anytime the steward talks with a boss.

If the company does discipline you for your actions as a steward, you can either grieve it, file a charge with the NLRB, or both. Feel free to contact TDU if this happens to you—just call (313) 842-2600.

Finally, if you haven't read it, be sure to get a copy of Robert Schwartz's *The Legal Rights of Union Stewards*. He taught me everything I know about my legal rights as a steward. You can order a copy from TDU.

TDU Convention: I'll Be There



"Our local has learned so much from TDU—from running for office to fighting for a strong contract. We're bringing a big group to the convention. See you there."

Mary Koglin, Local 726
City of Chicago

Local 854, New York

Legal Victory for TDU Members

The National Labor Relations Board has ordered the reinstatement of a fired Teamster reform activist.

The board has also ruled that a Local 854 official violently threatened a TDU member and shop steward.

This victory for Teamster reform activists came when the National Labor Relations Board overturned on appeal an earlier ruling by an NLRB administrative law judge.

The case shows that even under the worst of circumstances, TDU members can enforce their legal right to organize for fairness on the job and in the union.

Beating a Campaign of Terror

When Local 854 school bus drivers began organizing in 2002 to elect their shop stewards and enforce their contract, Consolidated Bus Transit and Local 854 responded with a wave of retaliation against Teamster reformers.

Drivers were followed. Their tires were slashed and windshields smashed. Drivers were suspended and even fired.

TDU took legal action and won numerous decisions against both Consolidated Bus Transit and Local 854, protecting the rights of working Teamsters to organize on the job and in their union.

On Aug. 31, the National Labor Relations Board ruled in favor of TDU members on two final issues that were in front of the board on appeal.

As a result, driver and TDU leader Juan Carlos Rodriguez won the right to return to his job at Consolidated Bus Transit. Rodriguez had been fired in March 2003 in retaliation for his union reform activity.

The NLRB ordered that Consolidated Bus Transit reinstate Rodriguez and pay him "for any loss of earnings and other benefits he may have suffered as a result of the unlawful action against him, plus interest."

Rodriguez will return to work with full seniority and tens of thousands of dollars in backpay.

Teamster Official Guilty of Violent Threat

If Juan Carlos Rodriguez was the big winner as the result of the NLRB's ruling, then Local 854 President Danny Gatto is the big loser.

After shop steward Jona Fleurimont's windshield was smashed by hammer-wielding thugs, Gatto told Fleurimont, "If I had a beef with you, I wouldn't break your windshield. I'd break something else."

The NLRB ruled that Gatto illegally and violently threatened Fleurimont, saying "Gatto's comment was a thinly-veiled threat of assault. Whatever remained implicit in that comment about the immediate and physical nature of the threat quickly became explicit when Gatto tried to goad Fleurimont into starting a fight."

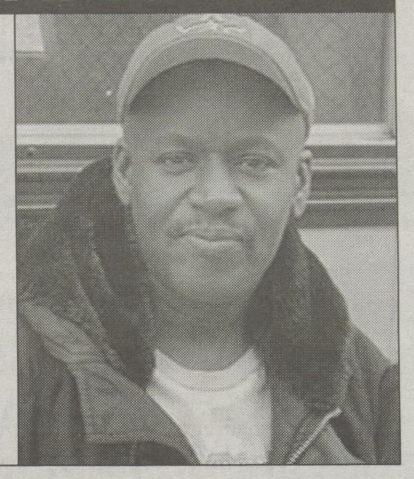
Gatto's persecution of Fleurimont didn't end there. After Consolidated Bus Transit fired Fleurimont in retaliation for his union activity, Gatto instructed Local 854 legal counsel to oppose a settlement reinstating Fleurimont to work. Gatto failed—and legal action by TDU won Fleurimont his job back with more than $20,000 in back pay.

Legal action by TDU won Fleurimont his job back with more than $20,000 in back pay.

TDU Convention: I'll Be There

"TDU has shown us how to stand up for our rights on the job and in our local. At the TDU Convention, you meet Teamsters who have the heart to stand up and the smarts to be effective at doing it."

Jona Fleurimont
Local 854
Consolidated Bus Transit
New York



Local 237: TDU Uncovers Employer Payments

IBT VP Must Pay Back $100K Plus

Thanks to TDU, International Union Vice President and former Local 237 president Carroll Haynes is being forced to repay more than $100,000 in improper payments. Haynes received the payments from the company that manages the Local 237 health plan.

Local 237 launched an internal probe after TDU brought the improper payments to light.

$106,000 in Payments

As part of our preparations of the $150,000 Club, our annual report on Teamster salaries, TDU uncovered that Haynes received a $54,500 "stipend" in 2006 from the Health Insurance Plan of Greater New York (HIP).

Further investigation has revealed that Haynes received more than $106,000 in payments from HIP and Emblem Health since 2005—not including payments he received in 2007.

Following an investigation by outside counsel hired by Local 237, Haynes will return the payments. The final amount is still being determined.

"Did Local 237 officials really need to pay for an outside investigation to realize that it's wrong for our president to take $100,000 in payoffs from a health insurance company? That just shows how out of touch they are with the members," said Bernadette Bradley, a Local 237 member and leader of the reform group Members for Change. "Thankfully, we've got TDU to be a watchdog for us."

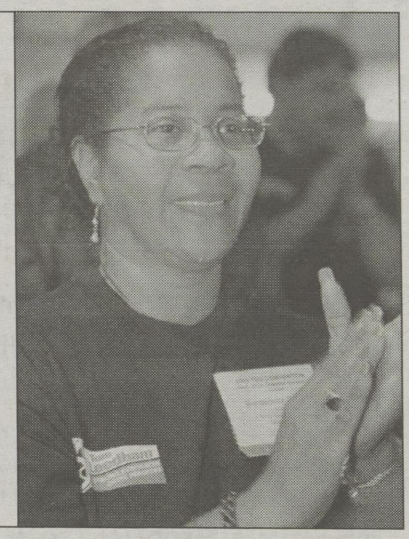
It remains to be seen what, if any, action our International Union will take on the matter. This is the second time that TDU has caught Haynes taking improper payments. In 2003, Haynes was forced to pay back thousands of dollars after he took total salaries in 2001 in excess of the General President's salary—a violation of the Teamster Constitution.

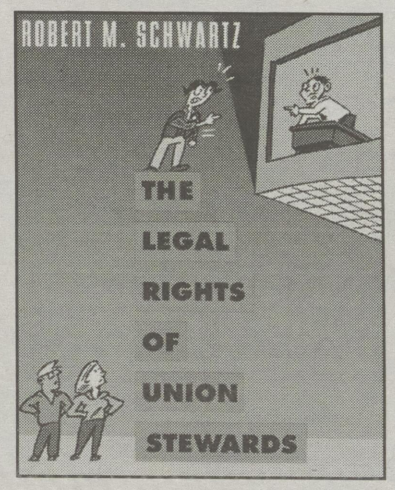
Local 237 president Carroll Haynes must pay back more than $100,000 in improper payments he received from a health fund.

$100,000 Payoff

"Did Local 237 officials really need to pay for an outside investigation to realize that it's wrong for our president to take $100,000 in payoffs from a health insurance company? That just shows how out of touch they are with the members. Thankfully, we've got TDU to be a watchdog for us."

Bernadette Bradley
Local 237
NYC Health Dept. Police





The Legal Rights of Union Stewards

by Robert M. Schwartz

The must-have reference for stewards and union activists.

Available from TDU, $15. To order, phone (313) 842-2600 or visit www.tdu.org

Attend the 2007 TDU Convention

Nov. 2-4, 2007 • Crowne Plaza Hotel O'Hare • Chicago Airport

Teamster Education for Rebuilding Our Union

Grounded in real-life experience—and taught by Teamster leaders, attorneys, and labor experts—the workshops at the TDU Convention help members, stewards, and officers build power in our union.

Don't miss out on the Teamster education event of the year. Make your plans to attend the TDU Convention today.

Convention Workshops

Friday, Nov. 2

- Strategic Grievance Handling and Creative Action
- TDU History
- Rebuilding Teamster Power
- Legal Rights on the Job and in the Union

Saturday, Nov. 3

- Running for Local Union Office
- Training New Activists
- Proving Your Case to Employers and Arbitrators
- Defending Our Pensions
- China and the U.S. Labor Movement
- Labor History Revisited

Sunday, Nov. 4

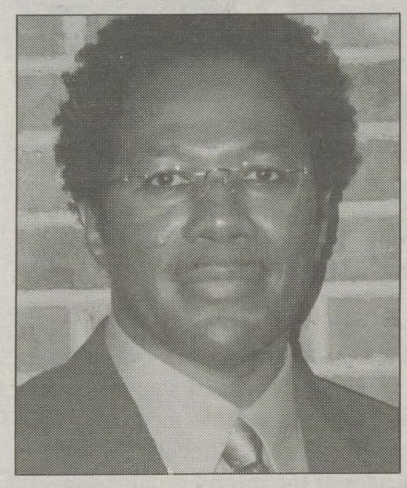
- Chicago Labor History Tour
- Winning Strong Contracts
- Steward's Toolbox
- Blowing the Whistle on Safety
- Drafting and Evaluating Contract Language
- Winning Affordable Healthcare

Plus industry meetings for Teamsters at UPS, freight, waste, rail, public workers, redi-mix, and more.

New Classes Every Year

"There's a lot of great things to do at the TDU Convention, but every year my favorite part is the education I get in the classes. There are new workshops every year—so I always get to take new classes. See you in Chicago."

Walter Taylor
Local 814 Movers
New York



Teamster University

"I'll be attending the TDU Convention in November. It will be my first convention—and I hear it's like Teamster University. The workshops will give us the tools we need to lead our union."

Larry S. Davis
Central States Funds Office
Local 743, Chicago

Register Today

Don't miss the Teamster education event of the year. Make your plans to attend today.

To register, call TDU at (313) 842-2600 or register online at www.tdu.org/convention